

## BOARD OF COUNTY COMMISSIONERS

### AGENDA ITEM SUMMARY

Meeting Date: March 15, 2006 Division: Growth Management  
Bulk Item: Yes X No        Department: Planning and Environmental Resources  
Staff Contact: Jose Papa

---

#### AGENDA ITEM WORDING:

A resolution to concur with the sale of surplus Florida Department of Transportation right-of-way adjacent to U.S. 1 at approximately MM 23, Oceanside, Cudjoe Key.

---

#### ITEM BACKGROUND:

The subject parcel is approximately 50' X 460' and is located approximately at Mile Marker 23 Oceanside. The potential buyer would like to use the available FDOT right-of-way to measure their required setbacks and landscaping requirement for the development of new office space.

Staff is recommending approval of the sale subject to the condition that the buyers provide an easement for the construction of the Florida Keys Overseas Heritage Trail as well as other public infrastructure such as stormwater facilities and sewer lines.

---

#### PREVIOUSLY RELEVANT BOCC ACTION:

November 10, 1999- Resolution 565-1999 recommending that the Florida Department of Transportation deny requests to surplus properties adjacent to U.S. 1 until Board Action is taken on the Overseas Heritage Trail and the Stormwater Master Plans.

---

#### CONTRACT/AGREEMENT CHANGES:


N/A

---

#### STAFF RECOMMENDATION:

Approval.

---

TOTAL COST: <u>N/A</u>	BUDGETED: Yes <u>      </u> No <u>N/A</u>
COST TO COUNTY: <u>N/A</u>	SOURCE OF FUNDS: <u>      </u>
REVENUE PRODUCING: Yes <u>      </u> No <u>      </u>	AMOUNT PER MONTH <u>      </u> Year <u>      </u>
APPROVED BY: County Atty <u>X</u> OMB/Purchasing <u>      </u> Risk Management <u>      </u>	
DIVISION DIRECTOR APPROVAL: <u></u> Ronda Norman	
DOCUMENTATION: Included <u>X</u>	Not Required <u>      </u>
DISPOSITION: <u>      </u>	AGENDA ITEM # <u>      </u>

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
MONROE COUNTY, FLORIDA CONCURRING WITH THE  
SALE OF SURPLUS FLORIDA DEPARTMENT OF  
TRANSPORTATION RIGHT-OF-WAY ADJACENT TO U.S. 1  
AT APPROXIMATELY MILE MARKER 23, OCEANSIDE.

---

WHEREAS, the Monroe County Board of Commissioners has passed Resolution 565-1999 on November 10, 1999 establishing the policy of Monroe County to request that the Florida Department of Transportation (FDOT) deny any requests to surplus properties adjacent to U.S. 1 until the Board of Commissioners has taken action on the Overseas Heritage Trail and Stormwater Master Plan; and

**WHEREAS**, the Monroe County Board of County Commissioners makes the following Findings of Fact:

1. The Florida Department of Transportation has determined that the sale or lease of excess lands is prudent in order to reduce the liability and maintenance costs for FDOT.

2. The current owner(s) of Lots 1-6, Block 3, Cudjoe Ocean Shores have requested to purchase an approximately 50' X 460' portion of the U.S. 1 Right-of-Way at approximately Mile Marker 23 Oceanside, adjacent to Lots 1-6, Block 3, Cudjoe Ocean Shores.

3. The buyer of said Right-of-Way will dedicate an easement within the proposed purchase area for the construction of the Florida Keys Overseas Heritage Trail whose design is as attached in Exhibit 1.

4. The buyer of said Right-of-Way will dedicate an easement for the purpose of other public infrastructure improvements such as, but not limited to: landscaping improvements, stormwater treatment, and sewer lines.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that Monroe County concurs with the sale of available Florida Department of Transportation right-of-way approximately at Mile Marker 23, Oceanside, subject to the buyer dedicating a public easement for future public uses.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 15<sup>th</sup> day of March 2006.

Mayor Charles "Sonny" McCoy  
Mayor Pro Tem Murray E. Nelson  
Commissioner Dixie Spehar  
Commissioner George Neugent  
Commissioner David P. Rice

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

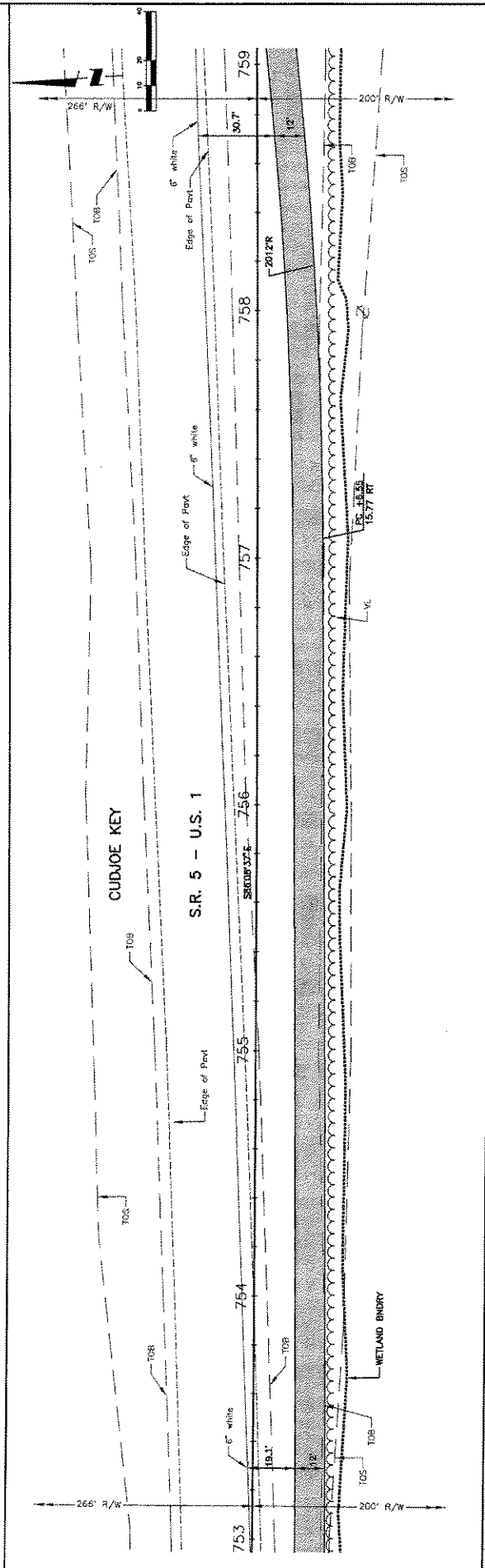
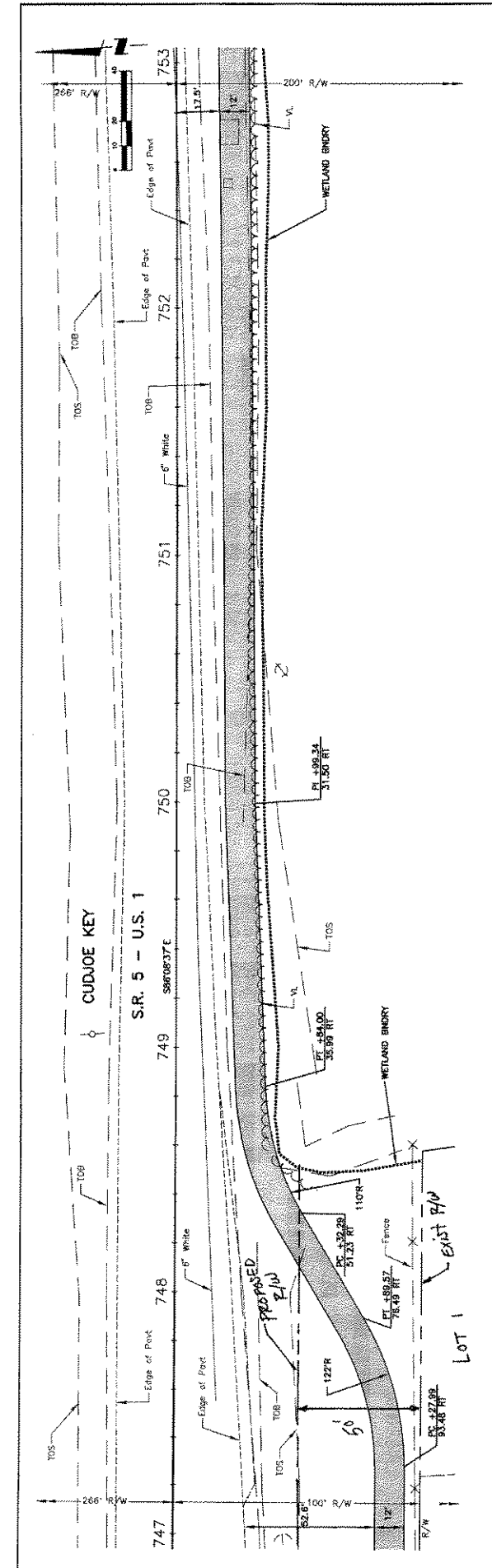
(Seal)

Monroe County Board of Commissioners

Attest: \_\_\_\_\_  
Clerk of Court

By: \_\_\_\_\_  
Mayor



[illegible]

